## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA STATESVILLE DIVISION CRIMINAL DOCKET NO. 5:14-CR-72-RLV-DSC

UNITED STATES OF AMERICA,	)	
	)	
	)	
	)	<b>ORDER</b>
v.	)	
	)	
JUAN PABLO DIAZ-HERRERA,	)	
	)	
Defendant.	)	

**THIS MATTER** is before the Court on the Defendant's "Motion for Inquiry into Status of Counsel" (document # 178) filed July 8, 2015. The Court held a hearing in this matter on July 14, 2015. A portion of the hearing was conducted ex parte.

E. James Chandler II, appointed counsel for Defendant, represented that Defendant is unwilling to consider a favorable plea offer from the Government. He also represented that his relationship with Defendant has deteriorated to the point that they cannot work together on a trial strategy.

The Court acknowledged the serious nature of the charges and penalties that Defendant faces, but advised him that appointment of new counsel would not change those circumstances or result in a more favorable plea offer. The Court also clarified the attorney-client relationship and explained to Defendant that there are certain decisions that must be made by him such as whether or not to accept a plea agreement or go to trial. The Court advised Defendant that his counsel must decide what if any motions should be filed.

Both Mr. Chandler and Defendant agree that there is a lack of trust between them.

Based upon the foregoing, the Court relieves Mr. Chandler from further representation of Defendant and directs the Federal Defender to appoint new counsel. The Clerk is directed to send copies of this Order to counsel for the parties, including but not limited to moving counsel; and to the Honorable Richard L. Voorhees.

SO ORDERED.

Signed: July 15, 2015

David S. Cayer

United States Magistrate Judge